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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,191	09/08/2003	Osamu Ikeda	032463.03	8411
25944	7590	09/06/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			LUU, MATTHEW	
			ART UNIT	PAPER NUMBER
			2676	
DATE MAILED: 09/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/656,191	IKEDA, OSAMU	
	<b>Examiner</b>	<b>Art Unit</b>	
	LUU MATTHEW	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 September 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-33 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 08 September 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/8/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-9, 10, 14-16, 17-19, 21-24, 25-26, and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (5,671,014) in view of Oka (5,835,081) or Zetts (5,272,470).

Regarding claims 17 and 30, Ito discloses (Fig. 1) an apparatus comprises a display screen (LCD 9) having a graphical user interface (touch panel 11) through which position coordinates are sequentially input in order (see Figs. 10 and 11); and

a position coordinate recorder (micro-computer 3, SRAM 31 and RAM controller 10) coupled to the display screen (9) to record in a memory (SRAM 31) the position coordinates input through the display screen (9).

Ito fails to explicitly teach the recording information relating to the order in which the position coordinates are input.

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However, both of Oka and Zetts teaches a handwriting data-entry, wherein the position coordinates of the drawing lines are input sequentially. See Oka, Figs. 3 and 4; col. 4, line 58 to col. 5, line 44. See also Zetts (Figs. 4-6).

Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teachings of line drawing method of Oka or Zetts into the video apparatus with the touch sensitive display of Ito to provide a rapid and accurate handwriting data-entry touch sensitive display.

Regarding claims 18 and 31, Oka teaches (Fig. 4) the position coordinates (A-D) represent a line drawing.

Regarding claims 21 and 33, Ito teaches (Fig. 1) the inputting of the position coordinates using a touch tablet (11).

Regarding claim 22, Ito discloses (Fig. 1) an electronic camera (1).

Regarding claim 23, Ito discloses (Fig. 1) a line drawing using the stylus pen (30).

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Regarding claims 1, 10, 19, 24, 25 and 32, note the rejection as set forth above with respect to claim 17. Furthermore, Ito also fails to discloses the sequential writing on the display screen points corresponding to the position coordinates in the order in which the position coordinates were input.

However, Zetts teaches that the number of points can be stored in the buffer rapidly and then displayed on the screen (col. 2, lines 30-39). It would have been obvious to one of ordinary skill in the art that to recognize that since the number of points is subsequently stored, then they will be displayed across the screen in a sequential order since the handwriting device of Zetts is based on the time order factor.

Regarding claims 6-8, 14-15, 29, note Fig. 1 of Ito, camera (1), deck (2) and drawing tablet (9).

Regarding claims 9 and 16, note Fig. 11, step 16 of Ito.

3. Claims 3-5, 12-13, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito in view of Oka or Zetts as applied to claims 1, 10, 17, 25 and 30 above, and further in view of Filo (5,604,517).

The only difference between the claimed invention and the disclosure of Ito is that the claims require the sound replay system that corresponds to image drawing process. However, Filo discloses (Figs. 1 and 8) a drawing device, wherein the sounds are generated in corresponding to the drawing device. See col. 8, lines 48-51; and col. 9, lines 36-39. It would have been obvious to the person of ordinary skill in the art at the time of the invention to use the sound generator of Filo into the touch screen device of Ito to provide sound entertainment to the user.

4. Claims 2, 11, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito in view of Oka or Zetts as applied to claims 1, 10, 17, and 25 above, and further in view of Tanaka (5,166,666).

The only difference between the claimed invention and the disclosure of Ito is that the claims require the recording means completes the recording of the position coordinates. However, Tanaka discloses (Fig. 4B) the completion of recording (the CPU 24 prevents the window W from being stored) when no position coordinates have been input by the input means (pen up position) for a predetermined time period AT. See column 8, lines 38-50; and column 2, lines 34-40. It would have been obvious to the person of ordinary skill in the art at the time of the invention

to incorporate the method of completion of data storing when there is no input by the input means to provide a power consumption to the video apparatus with a touch sensitive display of Ito.

***Conclusion***

This is a CONTINUATION of applicant's earlier Application No. 10/310,901. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BELLA MATTHEW can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu



MATTHEW LUU  
PRIMARY EXAMINER